

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 13226US02

In the Application of:

G. Ungerboech et al.

U.S. Serial No.: 09/898,850

Filed: July 3, 2001

**For: SYSTEM AND METHOD FOR
HUFFMAN SHAPING IN A DATA
COMMUNICATION SYSTEM**

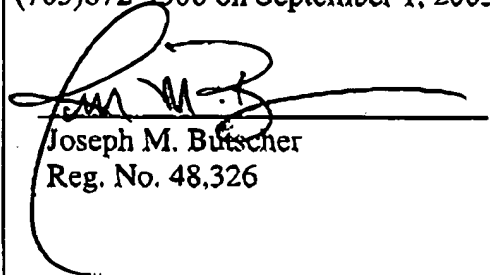
Examiner: Dac V. Ha

Group Art Unit: 2634

Conf. No.: 1485

CERTIFICATE OF TRANSMISSION

I hereby certify that this Petition is being facsimile transmitted to the U.S. Patent and Trademark Office at Central Facsimile Number (703)872-9306 on September 1, 2005.



Joseph M. Butscher
Reg. No. 48,326

RECEIVED

SEP 01 2005

OFFICE OF PETITIONS

PETITION UNDER 37 CFR 1.313(c)
(Petition To Withdraw Application From Issue)

URGENT

The Applicants respectfully petition the Office to withdraw the above-identified application from issue and enter the enclosed Request for Continued Examination and submission (information disclosure statement). Please expedite this request in view of the imminent issue date of the application.

09/02/2005 AKELLEY 00000005 130017 09898850

01 FC:1464 130.00 DA

Remarks

The Applicants' attorneys of record have recently discovered that references disclosed in provisional application 60/224,733, from which the present application claims priority benefits, were inadvertently not disclosed in the present application. The references are the following:

- (1) G. Ungerbroeck, "Information-Theoretic Reflections on PCM Voiceband Modems," in *Codes, Curves, and Signals - Common Threads in Communications*, edited by A. Vardy, Kluwer Academic Publishers, 1988;
- (2) R.E. Blahut, "Computation of Channel Capacity And Rate-Distortion Functions," *IEEE Trans. Inform. Theory*, vol. 18, pp. 460-473, 1972; and
- (3) G. Ungerbroeck, "Trellis-Coded Modulation With Redundant Signal Sets - Part II: State Of The art," *IEEE Communications Magazine*, vol. 25, pp. 12-21, February 1987.

This application should be withdrawn from issue and the enclosed Request for Continued Examination should be granted to allow consideration of these references. .

This petition is grantable because it complies with 37 CFR § 1.113(c)(2). The relevant parts of 37 CFR § 1.113(c) and (c)(2) state:

§ 1.313(c) Once the issue fee has been paid, the application will not be withdrawn from issue upon petition by the applicant for any reason except: * * * (2) Consideration of a request for continued examination in compliance with § 1.114.

A Request for Continued Examination (RCE) is enclosed. The RCE is believed to be in compliance with § 1.114, which requires, in relevant part:


(c) A submission ... includ[ing], but ... not limited to, an information disclosure statement....

The required information disclosure statement is enclosed.

The Office is authorized to charge the petition fee of \$130, the RCE fee of \$790, and any other fees presently required, to Deposit Account No. 13-0017.

Date: September 1, 2005

Respectfully submitted,



Joseph M. Butscher
Reg. No. 48,326
Attorney for applicant(s)

McAndrews, Held & Malloy, Ltd.
500 W. Madison St., 34th Floor
Chicago, IL 60661
Telephone No. (312) 775-8000
Facsimile No.: (312) 775-8100

Law Offices

McANDREWS, HELD & MALLOY, LTD.

34TH FLOOR

500 WEST MADISON STREET

CHICAGO, ILLINOIS 60661

TELEPHONE: (312) 775-8000

FACSIMILE: (312) 775-8100

RECEIVED

SEP 01 2005

OFFICE OF PETITIONS

FAX COVER LETTER*CONFIDENTIAL*

THE ENCLOSED MATERIAL IS INTENDED FOR THE RECIPIENT NAMED BELOW AND, UNLESS OTHERWISE EXPRESSLY INDICATED, IS CONFIDENTIAL AND PRIVILEGED INFORMATION. ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THE ENCLOSED MATERIALS IS PROHIBITED. IF YOU RECEIVE THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AT OUR EXPENSE, AND DESTROY THE ENCLOSED MATERIALS. YOUR COOPERATION IS APPRECIATED.

TO: U.S. Patent and Trademark Office
PETITIONS
ATTN: Sherry Brinkley

FROM: Joseph M. Butscher

DATE: September 1, 2005

FACSIMILE NUMBER: (571)273-0025

CHARGE TO: 1772-13826US02

Number of Pages This Transmission (Including Cover Page): 40

Message: Please call Joseph M. Butscher at the telephone number listed above to confirm receipt.